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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE/

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937 255 3733 P. 01/03

Docket Number (Optional)

AFB 563

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))

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OFFICE OF PETITIONS

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,770,724 Application Number 09/783,719
Issue Date August 3, 2004 Filing Date February 16, 2001

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

12/05/2008 DALLEN 00000009 010465 6770724

Also complete the following information, if applicable

01 FC:1551	980.00 DA
02 FC:1558	1640.00 DA

The above-identified patent:

- ☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international
application _____ filed on _____

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

12-3-08

Date



Signature

LYNNITA C. ROBERTSON

Typed or printed name of person signing Certificate

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1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 980	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ 490	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ 2480	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ 1240	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ 4110	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ 2055	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 980.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640 (Fee Code 188) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ _____.☒ Please charge Deposit Account No. AF01-0465 the sum of \$ 2620.00.☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Commissioner is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. AF01-0465.

7. OVERPAYMENT

As to any overpayment made please

- ☒ Credit to Deposit Account No. AF 01-0465
- OR
- ☐ Send refund check.

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WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 114). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

3 Dec. 08

Date

THOMAS C. STOVER

Typed or printed name(s)

22,531

Registration Number, if applicable

(937) 904-5779

Telephone Number

AFMCLO/JAZ, Bldg 11, Room D18, 2240 B Street

Address

Wright-Patterson AFB, OH 45433-7109

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES:

- ☒ Maintenance Fee payment
- ☒ Surcharge under 37 CF R 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐